

**RECEIVED
CENTRAL FAX CENTER****PABST PATENT GROUP**

OCT 05 2005

Pabst Patent Group LLP
400 Colony Square, Suite 1200
1201 Peachtree Street
Atlanta, GA 30361Telephone (404) 879-2150
Telefax (404) 879-2160information@pabstpatent.com
www.pabstpatent.com**TELEFAX**

Date: October 5, 2005

Total pages: 29
(including cover sheet)

To: US PTO

Telephone:

Telefax: 571-273-8300

From: Patrea Pabst

Telephone: 404-879-2151

Telefax: 404-879-2160

Our Docket No. ICI 102

Client/Matter No. 078230/27

Your Docket No.

Please call (404) 879-2150 if you did not receive all of the pages, or if they are illegible.

CONFIDENTIALITY NOTICE: This facsimile, along with any documents, files, or attachments, may contain information that is confidential, privileged, or otherwise exempt from disclosure. If you are not the intended recipient or a person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, printing, distribution or use of any information contained in or attached to this facsimile is strictly prohibited. If you have received this facsimile in error, please immediately notify us by facsimile or by telephone collect at the numbers stated above, and destroy the original facsimile and its attachments without reading, printing, or saving in any manner. Your cooperation is appreciated. Thank you.

MESSAGE:**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Stefan Dietmar Anker and Andrew Justin Stewart Coats

Serial No.: 09/807,558

Art Unit: 1618

Filed: July 17, 2001

Examiner: Fozia M. Hamud

For: *METHODS OF TREATMENT***Attached Items:**

Transmittal Form PTO/SB/21;

Fee Transmittal PTO/SB/17;

Declaration Under 37 CFR §1.132

2 Tables

1 Reference

Summary of Study

(45060910.1)

OCT. 5. 2005 5:19PM

PABST PATENT GROUP

**RECEIVED
CENTRAL FAX CENTER**

NO. 5659 P. 2

OCT 05 2005


PTO/SB/21 (09-04)

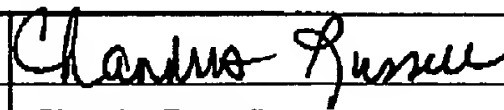
Approved for use through 07/31/2006. OMB 0551-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/807,558
	Filing Date	July 17, 2001
	First Named Inventor	Stefan Dietmar Anker
	Art Unit	1647
	Examiner Name	Fozia M. Hamud
Total Number of Pages In This Submission	Attorney Docket Number	ICI 102

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Declaration Under 37 C.F.R. 1.132
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Two (2) tables
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	One (1) Reference
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	Summary of Study
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Pabst Patent Group LLP		
Signature			
Printed name	Patrea L. Pabst		
Date	October 5, 2005	Reg. No.	31,284

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Signature		
Typed or printed name	Chandra Russell	Date
		October 5, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

ICI 102 078230/27

OCT. 5. 2005 5:19PM

PABST PATENT GROUP

RECEIVED
CENTRAL FAX CENTER

NO. 5659 P. 3

OCT 05 2005

PTO/SB/17 (12-04)

Approved for use through 07/31/2008. OMB 0851-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4918). FEE TRANSMITTAL For FY 2005		Complete if Known	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	09/807,558
TOTAL AMOUNT OF PAYMENT (\$) 0.00		Filing Date	July 17, 2001
		First Named Inventor	Stefan Dietmar Anker
		Examiner Name	Fozia M. Hamud
		Art Unit	1647
		Attorney Docket No.	ICI 102

METHOD OF PAYMENT (check all that apply)
☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 50-3129 Deposit Account Name: Pabst Patent Group LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.
FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
30 - 47 or HP =	0 x		0.00			
HP = highest number of total claims paid for, if greater than 20						
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)			
1 - 10 or HP =	0 x		0.00			
HP = highest number of independent claims paid for, if greater than 3						

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x		

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: _____

SUBMITTED BY		
Signature	Registration No. (Attorney/Agent) 31,284	Telephone (404) 879-2151
Name (Print/Type) Patrea L. Pabst		Date October 5, 2005

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

OCT. 5. 2005 5:19PM

PABST PATENT GROUP

**RECEIVED
CENTRAL FAX CENTER**

NO. 5659 P. 4

OCT 05 2005

**AMENDMENT UNDER 37 C.F.R. 1.116
EXPEDITED PROSECUTION
ART UNIT 1647**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Stefan Dietmar Anker and Andrew Justin Stewart Coats

Serial No.: 09/807,558

Art Unit: 1647

Filed: July 17, 2001

Examiner: Fozia M. Hamud

For: *METHODS OF TREATMENT*

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF DECLARATION UNDER 37 C.F.R. § 1.132

Sir:

Further to the Amendment and Response filed September 16, 2005, enclosed is the signed Declaration Under 37 C.F.R. § 1.132 referenced on page 17 of the Amendment and Response, two (2) tables, one (1) reference, and summary of the study from Mahe, I., "The ELITE-2 study" *Presse Med.* Sep. 9; 29(25):1407 (2000). As noted in the Amendment and Response the Declaration provides additional examples that demonstrate enablement of the method as defined by the claims and described in the application as filed.

45060886v1

1

ICI 102
078230/00027

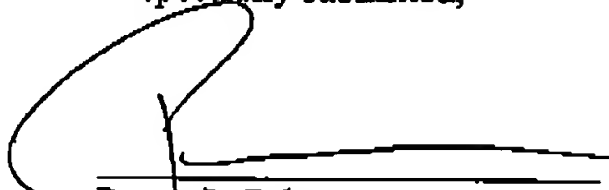
U.S.S.N. 09/807,558

Filed: July 17, 2001

AMENDMENT AND RESPONSE TO OFFICE ACTION

It is believed that no fee is required with this submission. However, should a fee be required, the Commissioner is hereby authorized to charge the fee to Deposit Account No. 50-3129.

Respectfully submitted,


Patrea L. Pabst
Reg. No. 31,284

Date: October 5, 2005

PABST PATENT GROUP LLP
400 Colony Square, Suite 1200
1201 Peachtree Street
Atlanta, Georgia 30361
(404) 879-2151
(404) 879-2160 (Facsimile)